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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/877,609 | 06/08/2001 | Michael R. Lessard | 3330/59 | 1814 |

29858 7590 12/22/2004

BROWN, RAYSMAN, MILLSTEIN, FELDER & STEINER LLP
900 THIRD AVENUE
NEW YORK, NY 10022

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| EXAMINER |
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BILGRAMI, ASGHAR H

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| ART UNIT | PAPER NUMBER |
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2143

DATE MAILED: 12/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/877,609

Applicant(s)

LESSARD, MICHAEL R.

Examiner

Asghar Bilgrami

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>09/23/2002</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 06/08/2001 was filed after the mailing date of the application on 09/23/2002. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Specification

2. The disclosure is objected to because of the following informalities: The specification references the U.S application; Attorney docket No. 3330/60 filed June 8, 2001. The examiner requests the applicant to provide the current application number for the above-mentioned docket Number into the specification.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Shklar et al (U.S. 6,253,239)

5. As per claims 1 & 11 Shklar disclosed a computer network having a server computer and a client computer connectable through the network to the server computer, wherein an operating environment is available to the client computer (col.4, lines 25-39), a method for integrating a set of data into the operating environment, wherein the set of data is from at least one source that is external to the operating environment, the method comprising: providing a connection between the network and the at least one source through which the set of data is retrieved through a host operating environment; adapting the set of data for use through the host operating environment; and the client computer using the adapted data through the host operating environment, wherein the adapting and the using do not require nonvolatile storage of the set of data as native data to the host operating environment (col.2, lines 15-29).

6. As per claim 2 Shklar disclosed the method of claim 1, wherein using the adapted data through the host operating environment comprises using the adapted data as a first class participant within the host operating environment (col.3, lines 3-27).

7. As per claim 3 Shklar disclosed the method of claim 2, comprising, if the set of data is changed through the use of the adapted data: appropriately updating the set of data in the at least one source; and appropriately updating a set of wrapping data associated with the set of data, if any updating of the wrapping data is appropriate (col.6, lines 35-46, col.7, lines 35-53).

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8. As per claim 4 Shklar disclosed the method of claim 1, wherein the set of data is transiently stored as data that is native to the operating environment, during the use thereof (col.12, lines 5-24).

9. As per claim 5 Shklar disclosed the method of claim 1, comprising use of the set of data by more than one client computer (col.3, lines3-36).

10. As per claim 6 Shklar disclosed the method of claim 1, wherein the at least one source comprises a relational database system (col.2, lines 52-67, col.5, lines1-2 & col.11, lines 1-12).

11. As per claim 7 Shklar disclosed the method of claim 1, wherein the at least one source comprises an Open DataBase Compliant (ODBC) data source (col.2, lines 52-67, col.5, lines1-2 & col.11, lines 1-12).

12. As per claim 8 Shklar disclosed the method of claim 1, wherein adapting the set of data comprises: determining wrapping data associated with the external data, the wrapping data being for specifying characteristics of the set of data as native data to the host operating environment; and storing the wrapping data externally to the host operating environment.

13. As per claim 9 Shklar disclosed the method of claim 8, comprising: mapping groups of the external data to fields of a native document; and using the mapping data in determining the wrapping data (col.6, lines 35-46, col.7, lines 35-52 & col.8, lines 10-19).

14. As per claim 10 Shklar disclosed the method of claim 1 comprising: providing parameters for initialization and configuration of a data virtualization system within the host operating environment; maintaining connection with the at least one external data source (col.4, lines 25-39); providing parameters for integration of the data virtualization system with the host operating environment; and providing parameters for identifying and analyzing the set of data so as to associate with the set of data attributes and properties necessary to allow the set of data to be utilized as a first class participant within the host operating environment and to assure maintenance of operation of the host operating environment unimpeded by the data virtualization system (col.2, lines 50-67 & col.7, lines 35-52).

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Asghar Bilgrami whose telephone number is 571-272-3907. The examiner can normally be reached on M-F, 8:00-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Asghar Bilgrami
Examiner
Art Unit 2143

AB

Will C. Vaughn
Primary Examiner
Art Unit 2143
William C. Vaughn, Jr.